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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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| 09/402,121 | 09/30/99 | VALTANEN | J 1625/00023 |

PM82/1024

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EXAMINER

SYRES, C

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3635

74

DATE MAILED:

10/24/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No:

09/402,121

Applicant(s)

VALTANEN, JARKKO

Examiner

Christy M. Syres

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

This is a first office action for serial number 09/402121, entitled Joint Arrangement, filed on September 30, 1999.

Drawings

The drawings are objected to because the applicant cannot have two reference characters designated to the same object within the drawings, for example "y;y2" and "1;1' ". Correction is required.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "z" and "z1" have both been used to designate the same portion of the figure (fig. 2c), yet are designated as two separate items within the disclosure. Correction is required.

It is advised that applicant review the specification and drawings to assure that the these same items suggested above are not repeated throughout the application.

Specification

The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to "Microfiche Appendix" and the drawings, each of the lettered items should appear in upper case, without underlining or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.
- (b) Cross-References to Related Applications.
- (c) Statement Regarding Federally Sponsored Research or Development.
- (d) Reference to a "Microfiche Appendix" (see 37 CFR 1.96).
- (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (i) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).
- (k) Drawings.
- (l) Sequence Listing (see 37 CFR 1.821-1.825).

The title of the above corresponding sections within the application should be included within the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 4 and 6, the phrase "such as", "or the like" and "and/or" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). ✓

Claim 1 recites the limitations "the basic thickness" and "the surface structure" in lines 28 and 29. There is insufficient antecedent basis for this limitation in the claim. It

is unclear if applicant is referring to the platform surface or the underlying surface.
Clarification is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 rejected under 35 U.S.C. 103(a) as being unpatentable over Bue et al, US Patent # 6,128,881 in view of Polen, US Patent # 5,634,309.

Bue discloses the claimed invention a joint arrangement including a platform structure (56) projecting from the basic wall thickness of the surface structure (figure 3); *cl. 2* the joint arrangement arranged by single and square shaped platforms (where "12" points to) that are placed preferably all over the bottom surface of the surface structure (column 2, lines 25-27); two recesses (44) one after the other at each side (figure 2); both the male (36) and female (34) couplers are arranged at opposite outer edges of the surface structure (figure 2); the male couplers are arranged by projections (56) being placed at the lower edges of the longitudinal outer edges of the surface structure and correspondingly the female couplers (58) by recesses being placed at the lower edges of the crosswise outer edges (figure 1); the male and female couplers comprise and auxiliary support/sealing assembly (20) that deviates essentially from the vertical direction, preferably at an angle of 15 degrees (figure 3); except for at least one

essentially plastic based layer. Polen teaches that it is known in the art to provide a plastic like finish to a joint arrangement. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a plastic like finish to a joint arrangement of Polen with the joint arrangement of Bue, since it is stated in column 3, lines 25-28 that such a modification would provide a moisture barrier, increase the strength of the floor, and provide a protect the floor from damage.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christy M. Syres whose telephone number is (703) 308-9693. The examiner can normally be reached on Monday-Thursday (7:30-5:30), Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (703) 308-0839. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

CMS

CMS
October 23, 2000


Carl D. Friedman
Supervisory Patent Examiner
Group 3600